

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT  
APPLICATION TRANSMITTAL LETTER

JC511 U.S. PTO  
09/752828  
01/03/01

Box PATENT APPLICATION  
Commissioner for Patents and Trademarks  
Washington, D.C. 20231

Sir:

Enclosed for filing is the utility patent application of Dennis FERGUSON, Dev CHEN, Eric VERWILLOW, Ramesh PADMANABHAN, and Thomas SKIBO for SYSTEM, APPARATUS, AND METHOD FOR INCREASING RESILIENCY IN A COMMUNICATIONS.

Also enclosed are:

- 6 sheet(s) of  formal  informal drawing(s);
- claim for foreign priority under 35 U.S.C. §§ 119 and/or 365 is  hereby made to \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_;
- in the declaration;
- a certified copy of the priority document;
- a General Authorization for Petitions for Extensions of Time and Payment of Fees;
- applicant(s) is/are entitled to Small Entity Status;
- an Assignment document and Assignment Recordation Cover Sheet;
- an Information Disclosure Statement and PTO-1449; and
- Other: Request for Non-Publication;
- An  executed  unexecuted declaration of the inventor(s)
  - also is enclosed  will follow.
- Please amend the specification by inserting before the first line the sentence -- This application claims priority under 35 U.S.C. §§ 119 and/or 365 to \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_; the entire content of which is hereby incorporated by reference.--
- A bibliographic data entry sheet is enclosed.

The filing fee has been calculated as follows  and in accordance with the enclosed preliminary amendment:

| CLAIMS   |               |            |              |              |                   |
|--|---------------|------------|--------------|--------------|-------------------|
|  | No. of Claims |            | Extra Claims | Rate         | Fee               |
| Basic Application Fee  |               |            |              |              | \$710.00          |
| Total Claims   | 35            | Minus 20 = | 15           | x \$18.00 =  | 270.00            |
| Ind. Claims  | 6             | Minus 3 =  | 3            | x \$ 80.00 = | 240.00            |
| If multiple dependent claims are presented, add \$270.00                 |               |            |              |              |                   |
| Total Application Fee  |               |            |              |              | 1,220.00          |
| If Small entity status is claimed, subtract 50% of Total Application Fee |               |            |              |              |                   |
| Add Assignment Recording Fee if Assignment document is enclosed          |               |            |              |              |                   |
| <b>TOTAL APPLICATION FEE DUE</b>   |               |            |              |              | <b>\$1,220.00</b> |

This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.

A check in the amount of \$    is enclosed for the fee due.

A check in the amount of \$    is enclosed for the fee due.

Charge \$    to Deposit Account No. 50-1070 for the fee due.

Utility Patent Application Transmittal Letter  
Attorney's Docket No. 0023-0026  
Page 3

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1070. This paper is submitted in duplicate.



26615

PATENT TRADEMARK OFFICE

Respectfully submitted,

HARRITY & SNYDER, L.L.P.

By:



Paul A. Harrity  
Reg. No. 39,574

11240 Waples Mill Road  
Suite 300  
Fairfax, Virginia 22030  
(571) 432-0800

Date: January 3, 2001

JC511 U.S. PTO  
09/752828  
01/03/01



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Dennis FERGUSON et al. ) Group Art Unit: Unassigned  
Application No.: Unassigned ) Examiner: Unassigned  
Filed: January 3, 2001 )  
For: SYSTEM, APPARATUS, AND )  
METHOD FOR INCREASING )  
RESILIENCY IN )  
COMMUNICATIONS )

**REQUEST FOR NON-PUBLICATION OF APPLICATION AND**  
**CERTIFICATION UNDER 35 U.S.C. §122 (b)(2)(B)(i)**

Commissioner of Patent and Trademarks  
Washington, D.C. 20231

Sir:

As an authorized agent of the above-identified applicant(s), the undersigned attorney hereby certifies that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. §122(b).

I further understand that this non-publication request may be rescinded at any time and if so, the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

Request for Non-Publication of Application  
Application Serial No. Unassigned  
Attorney's Docket No. 0023-0026  
Page 2

I further understand that if applicant(s) subsequently file(s) an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the United States Patent and Trademark Office must be notified of such filing within forty-five (45) days after the date of the filing of such foreign or international application. I also understand that failure by applicant(s) to so notify the Patent and Trademark Office will result in abandonment of this application.



26615

PATENT TRADEMARK OFFICE

11240 Waples Mill Road  
Suite 300  
Fairfax, Virginia 22030  
(571) 432-0800

Date: January 3, 2001

Respectfully submitted,

HARRITY & SNYDER, L.L.P.

By:



Paul A. Harrity  
Reg. No. 39,574